

Daniel J. Ratner
Daniel Engelstein^o
Gwynne A. Wilcox^Δ
Pamela Jeffrey
Carl J. Levine^Δ
David Slutsky^Δ
Allyson L. Belovin
Suzanne Hepner^{*}
Richard Dorn
Robert H. Stroup
Dana E. Lossia^Δ
Micah Wissinger^{*}
Ryan J. Barbur
Alexander Rabb
Laureve D. Blackstone^Δ

LEVY RATNER, P.C.
Attorneys at Law
80 Eighth Avenue, 8th Floor
New York, New York 10011-7175
Telephone (212) 627-8100
Telecopier (212) 627-8182
www.levyratner.com

Richard A. Levy
Special Counsel

Kimberly A. Lehmann^Δ
Aleksandr L. Felstiner
Jessica I. Apter^Δ
Rebekah Cook-Mack
Courtney L. Allen



March 25, 2019

VIA ECF AND FAX TO (212) 805-7942

Hon. Alvin K. Hellerstein
United States District Judge
United States District Court for
the Southern District of New York
500 Pearl Street
New York, NY 10007-1312

**Re: Request for Extension of Time and Leave to Move for Summary Judgment
Delta Pilots Association v. Melvin, No. 1:14-CV-000225-AKH**

Dear Judge Hellerstein:

This firm represents the Defendant Russell Melvin in this matter. We write to request permission to move for summary judgment and to modify the current briefing schedule concerning Plaintiff's motion for summary judgment. (Dkt. 113). Defendant's response to Plaintiff's motion is currently due March 29, 2019. (See Minute Entry dated 2/22/2019).

In the course of preparing Defendant's response to Plaintiff's summary judgment motion, we have determined that Defendant has grounds for summary judgment in his favor which we believe are likely to dispose of this matter without the need for trial. Rather than proceed to a jury trial unnecessarily, we respectfully request permission to move the Court for summary judgment. In order to permit Defendant to submit a consolidated Local Rule 56.1 Statement, Defendant proposes serving and filing our response to Plaintiff's summary judgment motion at the same time that we serve and file our motion for summary judgment, and we seek the Court's permission to do so on April 15, 2019 rather than the current deadline of March 29, 2019. We propose that Plaintiff respond to Defendant's motion and reply on its own motion by May 15, 2019 and that Defendant reply on our motion by May 29, 2019.

Plaintiff's counsel has communicated that Plaintiff opposes this request as untimely under Rule 56(b) and the Court's scheduling order of February 22, 2019 and on other grounds.

There have been no previous requests for extension. We appreciate the Court's consideration of this matter.

^oAdmitted in NY, MA and DC

^ΔAdmitted in NY and NJ

^{*}Admitted in NY and CT

^ΔAdmitted in NY and DC

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dana Lossia".

Dana E. Lossia

DEL:del

cc: Lee R.A. Seham, Seham, Seham, Meltz & Petersen, LLP
Nicholas Paul Granath, Seham, Seham, Meltz & Petersen, LLP